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AN ACT TO ENABLE HENRY SHAW TO CONVEY OR DEVISE TO TRUSTEES CERTAIN LANDS.

(REPRINTED FROM MO. SESSION ACTS OF 1859, PAGE 434.)

Henry Shaw authorized and empowered to convey certain real estate to Trustees, for certain special objects and uses.

Be it enacted by the General Assembly of the State of Missouri, as follows:

WHEREAS, Henry Shaw, of the county of St. Louis, contemplates to convey or to devise to Trustees certain tracts of land in the Prairie des Noyers Common Fields and in the Gratiot League Square, partly within and partly without the present limits of the city of St. Louis, containing about seven hundred and sixty acres, in trust upon a portion thereof to keep up, maintain and establish a botanic garden for the cultivation and propagation of plants, flowers, fruit and forest trees, and for the dissemination of the knowledge thereof among men, by having a collection thereof easily accessible; by the establishment of a museum and library in connection therewith, as also by establishment of public lectures and instruction upon botany and its allied sciences, when it shall be deemed advisable in furtherance of the general objects of said trust; and the remaining portion to be used for the purpose of maintaining a perpetual fund for the support and maintenance of said garden, its care and increase, and the museum, library and instruction connected therewith, by leasing portions thereof for a term of years, or upon ground or building leases, renewable upon valuation; and whereas, for the purpose of securing to the said institution a permanent fund for all time, which will not be diverted from the specific object which it is designed

to support, it is essential that the said real estate shall be so conveyed, or devised and held, that the same shall not be alienated or alienable;

Therefore, it shall and may be lawful for the said Henry Shaw by his last will to devise, and by proper deed or deeds in his life time to convey, (making use of both or either of said methods of disposition,) to such Trustees as he may appoint, for the uses, trusts and purposes which are generally set forth above, but which may be more specifically described in the instruments creating the same, the whole or such portions of the following tracts of land as he may deem expedient, to wit: All the real estate owned by said Henry Shaw within the following limits, to wit: Grand Avenue on the east, the road running from Grand Avenue to the old Manchester road, on the line between United States surveys number fifteen hundred and nineteen and thirty-two hundred and ninety-four on the north, Arsenal Road on the south, and the King's Highway and the old Manchester road on the west, situated in the Prairie des Noyers Common Fields; also all his interest in a certain tract of land in said Common Fields, bounded north by said Arsenal Road, east by property formerly of James Eggers, south by property of John Tool, and west by the King's Highway; also all of his interest in a certain tract of land in survey of the United States numbered two thousand and thirty-seven, in the name of Charles Gratiot, bounded as follows: North by the County Farm of the county of St. Louis, and east by the King's Highway, south by the county road between surveys number two thousand and thirty-seven and two thousand and thirty-five, and west by the interest of said Shaw in said two last described tracts, being an undivided half thereof; also such other real estate and such personal property as he may think proper so to devise or convey for aforesaid uses, purposes and trusts, and by proper and apt words in said last will or deed or deeds to provide that no absolute alienation shall ever be made of said lands or any portion of the same by

the Trustees therein appointed, their successors or assigns in said trust, but that the same shall forever remain sacred for the objects and purposes of said trust deed; by proper and apt words in said last will or deed or deeds, to provide for the mode and manner of the succession of said Trustees, and for the removal and substitution of Trustees; and it shall and may be lawful for him, among other Trustees which may be therein appointed, to appoint such municipal officers of the city of St. Louis, and such executive and judicial officers of this State of Missouri, as he may think proper, by their style of office; and such officers, when so appointed Trustees, shall hold by virtue of their office, and not as individuals; and the interest in the real estate and property shall be held by them as such officer, and their successors in the office shall succeed to and be vested with all the rights in the property and powers in the trust originally conveyed to and vested in such officer; and it shall also be lawful for said Henry Shaw to convey said property to and appoint himself as one of said Trustees, among others, and in said deed or deeds to reserve to himself the right, during his life-time, to control and manage said garden and institution, and make leases of the lands therein conveyed, as such Trustee.

This act shall take effect and be in force from and after its passage.

Approved March 14, 1859.